THE HON'BLE Mr. JUSTICE R. SUBHASH REDDY

Writ Petition No.3446 of 2006

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Dated: February 23, 2006

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Between:

I. Vimalamma, W/o. Samson,

Age: 67 years, Occ: Cultivation,

R/o. Gondulu Village, Addateegala

Mandal, East Godavary District.

… Petitioner

And

The Additional Agent to the Government,

Rampachodavaram, East Godavary District,

and four others.

… Respondents

Order:

Heard the learned counsel for the petitioner and the learned Government Pleader appearing on behalf of the respondents.

2. The petitioner is the owner and possessor of land to an extent of Ac.8.00 cents in Sy.Nos.80/1 and 80/2 of Gondulu Village, Addateegala Mandal, East Godavari District.

3. With regard to the aforesaid land, proceedings were initiated under the provisions of A.P. Scheduled Area Land Transfer Regulations 1/59 as amended by Regulation 1/70, and the primary authority, i.e. the Special Deputy Collector (Tribal Welfare), the second respondent herein, passed the order of eviction. As against the same, petitioner preferred an appeal to the appellate authority, i.e. the Additional Agent to the Government, who has rejected the appeal by order dated 22-10-2005. As provided under the regulations, the petitioner has preferred revision dated 12-12-2005 before the Government along with an application for interim orders.

4. It is the case of the petitioner that he has been in long standing possession of the said land and though he filed an application for interim orders, the revisional authority did not exercise its discretion by passing an order. It is alleged that without any orders being passed on the revision petition, steps are being taken by the respondents to evict him. Hence, the present Writ Petition has been filed.

5. As much as from the very orders of eviction, as confirmed by the appellate authority, petitioner has been in continuous possession of the subject land from the year 1978 and the earlier orders which were passed against the very same land, have become final. In any event, with regard to the merits of the case, it is a matter to be considered by the revisional authority in the revision filed by the petitioner. As much as it is stated that the petitioner has been in continuous possession of the aforesaid land, I deem it appropriate to continue the possession of the said land, pending disposal of the revision petition.

6. In that view of the matter, I dispose of the Writ Petition directing the fourth respondent, the Revisional Authority to dispose of the revision petition as expeditiously as possible. Pending disposal of the revision petition, respondents are directed to maintain status quo with regard to the possession of the land covered by Sy.Nos.80/1 and 80/2 admeasuring Ac.8.00 cents, situated at Gondulu Village,

Addateegala Mandal, East Godavari District.

7. Subject to the above directions, the Writ Petition is disposed of.

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JUSTICE R. SUBHASH REDDY.

February 23, 2006

MRR